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OFFICE OF PETITIONS

In re Patent No. 6,402,070 :  
Issue Date: June 11, 2002 :  
Application No. 09/512,935 :  
Filed: February 25, 2000 :  
Attorney Docket No. 200499-20004 :

DECISION ON PETITION

This is a decision on the petition for reconsideration under 37 CFR 1.378(e), filed April 11, 2011, to accept the delayed payment of the maintenance fee for the above-identified patent.

The petition is granted.

The patent issued on June 11, 2002. The first maintenance fee could have been paid during the period from Monday, June 13, 2005 through Monday, December 12, 2005 or with a surcharge during the period from Tuesday, December 13, 2005 through Monday, June 12, 2006. Accordingly, this patent expired on June 12, 2006, for failure to timely remit the maintenance fee.

In the present petition, petitioners showed that the delay in paying the maintenance was unavoidable as a result of an error on the part of their employee in the performance of her clerical function. Additionally, petitioners paid the appropriate maintenance fee, surcharge, and petition fee.

Accordingly, the petition under 37 CFR 1.378(e) is granted. The maintenance fee in this case is accepted and the above-identified patent is hereby reinstated as of the mail date of this decision.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3211.

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